

EXHIBIT B

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

BONGO PRODUCTIONS, LLC, ROBERT
BERNSTEIN, SANCTUARY PERFORMING
ARTS LLC, and KYE SAYERS,

Plaintiffs,

v.

CARTER LAWRENCE, Tennessee State Fire
Marshal, in his official capacity,
CHRISTOPHER BAINBRIDGE, Director of
Codes Enforcement, in his official capacity,
GLENN R. FUNK, District Attorney General
for the 20th Judicial District, in his official
capacity, and NEAL PINKSTON, District Attorney
General for 11th Judicial District, in his official
capacity,

Defendants.

Civ. Action

No. 3:21-cv-00490

Judge Trauger

DECLARATION OF KYE SAYERS

1. I am a resident of Chattanooga, Tennessee and am the owner and co-founder of Sanctuary Performing Arts LLC (“Sanctuary”).

2. I make decisions for Sanctuary, including with regard to compliance with state and local building codes.

3. Sanctuary is a performing arts venue, community center and safe haven located in Chattanooga, Tennessee. See www.Sanctuaryperformingarts.com.

4. Sanctuary was founded by me and other members of the transgender community in December 2020 to serve the needs of transgender and intersex people of all ages, as well as other LGBTQ people and allies.

5. Sanctuary has two employees on staff, and many volunteers. The majority of the people who work and volunteer there and the majority of those who participate in Sanctuary's programs are transgender. Since Sanctuary opened its doors in late 2020, approximately 400 people have been involved with Sanctuary as volunteers or participants.

6. Sanctuary's founders and staff have worked hard to create a safe space for transgender and intersex people and their families in a state that is frequently perceived as unwelcoming to LGBTQ people.

7. Sanctuary has three restrooms. One is a single user unisex restroom. The other two restrooms have multiple stalls and/or urinals and do not have a sex designation at this time. Anyone is welcome to use any of Sanctuary's restrooms. No one has ever complained about Sanctuary's restroom policies.

8. Next month, Sanctuary intends to begin operating a full-service café and will be required by the local building code to post a sex-designation on its two multi-user restrooms. Sanctuary will continue to allow transgender people to use the restroom that accords with their gender identity.

9. I am concerned that H.B. 1182 applies to Sanctuary now because its multi-user facilities are not "excluded" under the Act's definition of covered entities, and am also concerned that the Act will apply to it in the future once it adds a sex designation on its multi-user restrooms.

10. I am concerned that the warning notice will make transgender and intersex people will feel that their presence is viewed as alarming, and that they will be offended by the term "biological sex" because of the political controversy and anti-transgender animus surrounding that phrase.

11. I immediately understood the term “biological sex” to be stigmatizing to transgender people and believe our clients will as well.

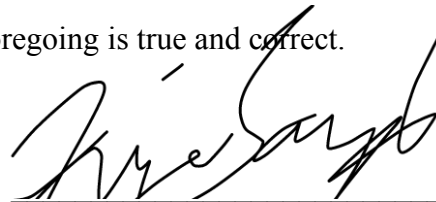
12. I further believe that the notice required by H.B. 1182 will send a message that erases the existence of intersex people by suggesting that there are only two “biological sexes.”

13. I believe that posting the warning notice required by H.B. 1182 would send a message to transgender and intersex people that they are not welcome, which would undermine Sanctuary’s mission and is the exact opposite of the message we try to send in everything we do.

14. I fear that Sanctuary will lose staff, community members and supporters if we display the warning notice.

I declare under penalty of perjury that the foregoing is true and correct.

Dated: June 23, 2021

A handwritten signature in black ink, appearing to read "Kye Sayers", written over a horizontal line.

Kye Sayers